

VZCZCXRO7055
PP RUEHBC RUEHDE RUEHIHL RUEHKUK
DE RUEHGB #1276/01 1151433
ZNY CCCCC ZZH
P 241433Z APR 08
FM AMEMBASSY BAGHDAD
TO RUEHC/SECSTATE WASHDC PRIORITY 7013
INFO RUCNRAQ/IRAQ COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 001276

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E.O. 12958: DECL: 04/24/2018
TAGS: [PREL](#) [PGOV](#) [PTER](#) [IR](#) [IZ](#)
SUBJECT: ISCI/SADRIST CONTEST IN BAGHDAD; LACK OF BAGHDAD
LAW A PROBLEM

REF: A. BAGHDAD 2040 (2007) LEGAL AMBIGUITY IN BAGHDAD
GOVERNANCE STRUCTURES AND POLITICAL
VIOLENCE
[1](#)B. BAGHDAD 2044 (2007) STRUCTURES AND CONFLICT IN
BAGHDAD GOVERNANCE
[1](#)C. BAGHDAD 3391 (2007) PROVINCIAL POWERS LAW - NOT
QUITE THERE YET
[1](#)D. BAGHDAD O/I APRIL 1
[1](#)E. BAGHDAD 562 (2008) BAGHDAD: LOCAL COUNCILS AND
ESSENTIAL SERVICES
[1](#)F. BAGHDAD 575 (2008) BAGHDAD: RIVARLY HEATS UP
AMONG SHIA PARTIES

Classified By: Baghdad PRT Leader Andy Passen for reasons 1.4 (b,d).

[1](#)1. (U) This is a Baghdad PRT reporting cable.

[1](#)2. (C) Summary: Baghdad province's uneasy power-sharing agreement between the Islamic Supreme Council in Iraq (ISCI) and the Sadrists appears to be unraveling. This cable analyzes how these two factions divvied up the choice positions in provincial government, where they are currently butting heads, and why their political contest over the provincial and municipal institutions has lasting ramifications for the future of Baghdad as the capital city of Iraq. The lack of a Baghdad law more clearly defining institutional relationships contributes significantly to this political rivalry.

THE BAGHDAD BALANCING ACT BETWEEN ISCI AND SADRISTS

[1](#)3. (SBU) The current balance of power among Baghdad's political factions coalesced in the aftermath of the January 2005 elections. The ISCI/Badr coalition won 28 out of 51 seats on the Baghdad PC, establishing a dominant and disciplined majority. The Da'wa coalition, winning 11 seats, became the de facto 'opposition,' and a smattering of other parties divvied up the remaining 12 seats. Moqtada al-Sadr told his followers to boycott the January 2005 elections, but several Sadrism-affiliated politicians ran independently under banners of a number of minor parties.

[1](#)4. (SBU) Prior to the January 2005 elections, local independents chosen in CPA-sponsored elections governed Baghdad. By the end of 2005, provincial institutions were dominated almost exclusively by Shia political party loyalists. The parties on the PC expanded their authority by overturning CPA-era institutional arrangements and replacing independents and technocrats with party loyalists. A gap left by CPA Order 71, which neglected to define Baghdad's unique governance structure, was exploited by the PC to establish control over the Amanat and replace CPA-appointed officials with Provincial Council members (ref A,B).

[1](#)5. (SBU) 2005 also saw ISCI and the Sadrists define their power-sharing agreement, dividing the most powerful positions

in provincial government between them. After selecting Hussein al-Tahan (Badr) to serve as Governor, the PC fired the local independent then serving as Deputy Governor and replaced him with Qassim al-Durraji, a Sadrhist with well-known connections to OMS.

¶6. (SBU) After asserting control over the Amanat (by firing the CPA-appointed Mayor and ousting the CPA-era selected City Council) the PC nominated several of its own to top Amanat positions. Saber al-Esawi (ISCI list) became Mayor and Naeem Aboub al-Kaby (Fadhila list and Sadrhist-affiliated) was selected as Deputy Mayor for Municipalities, the most powerful of the three Deputy Mayor positions at the Amanat.

¶7. (SBU) In December 2005, Chairman Mueen al-Khademy (ISCI) ousted the previous PC Chairman, Da'wa leader Mazin Makiya. Despite the lack of 'official' Sadrists on the council, the number two spot of Deputy Chairman was given to Sadrhist Mohan al-Saidi (Sadrhist independent).

'BAGHDAD' NEEDS TO BE MORE CLEARLY DEFINED IN
LAW; AMBIGUITY MAKES THE POLITICAL CONTEST WORSE

¶8. (SBU) CPA Order 71 generically gave Provincial Councils authority over the city governments within their provinces; Baghdad's unique history was not addressed and this gap has created space for conflict between rival factions; more clarity in the law might have dampened the effect of this conflict.

¶9. (SBU) Traditional Iraqi law considers the Amanat a

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national institution, and the Mayoralty (its leadership) as responsive to the Council of Ministers. The recently passed Law of Governorates not Organized into Regions, a.k.a. the Provincial Powers Law (PPL), does not include special language resolving ambiguity surrounding the role of the Mayor of Baghdad (ref C). Article 124 of the Iraqi Constitution calls for a law to define Baghdad's special status, but the Council of Representatives (COR) has yet to give it special attention and will likely delay it as it focuses on the provincial election law.

¶10. (C) Mayor Saber told us April 1 that the lack of a Baghdad Law inhibits the effective provision of services to Baghdad's residents. An atmosphere of confusion prevents Iraq's national, provincial, municipal and local bodies from effectual coordination (ref D, E).

¶11. (SBU) In the absence of this law, political actors at the national, provincial and local level seek to define the role of the Mayor of Baghdad according to the interpretation that best suits their own interests (ref B). Ambiguity over the role of the Mayor in turn leads to ambiguity over the relationships between Baghdad's local councils and the local offices of the Amanat, relationships that form a critical component of Baghdad's local governance structure.

¶12. (C) Sadrhist Deputy Mayor Naeem Aboub al-Kaby, despite his recent (and likely politically motivated) 'firing' by the ISCI-dominated Provincial Council, remains at work in the Amanat as a 'Special Advisor to the Mayor,' an obviously politically expedient way for these two parties to call a temporary cease-fire and prepare for fresh assaults (ref F).

¶13. (C) During the April 4 IESC meeting, Chairman Mueen pointedly corrected Ahmed Chalabi when Chalabi referred to Naeem as the 'Deputy Mayor.' Chairman Mueen stoutly says that Naeem has been fired and the matter is settled. Naeem has appealed the decision directly to the Prime Minister's office. According to Naeem, the Prime Minister sent a letter to the Mayor reinstating Naeem as Deputy Mayor, which the

Mayor refuses to acknowledge. Amanat contacts confirmed this to the PRT.

¶14. (C) Comment: This crisis of Naeem's firing, and possible reinstatement, is thus both an institutional crisis, pitting the national government against Baghdad's provincial government, and a political crisis: ISCI versus the Sadrists.

A complex interplay of personal enmity, factional rivalry and institutional competition defines the struggle to dominate the institutions that govern Baghdad, a struggle likely to escalate as provincial elections, currently scheduled for October 1, near. End comment.

CROCKER